

U.S. Serial No. 09/462,846

A marked-up version of the Specification's replacement paragraphs pursuant to 37 C.F.R. §1.121(b), as well as rewritten, added, and/or cancelled claims pursuant to 37 C.F.R. §1.121 (c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R. §1.121 (c)(3) as they would appear following entry of this amendment is attached as Appendix II. None of the amendments to the Claims is intended to narrow the scope of any of the amended Claims within the meaning of *Festo*¹.

**CLEAN VERSION OF REWRITTEN, ADDED, AND/OR CANCELLED CLAIMS
PURSUANT TO 37 C.F.R. §1.121 (c)(1)(i)**

Please cancel Claims 15 and 21.

Please replace the pending Claims with the following Claims having the same numbers:

13. (Six Times Amended) A method for the production of a heterologous protein in a transformed *Bacillus subtilis* host cell comprising the steps of:

- (a) obtaining a *Bacillus subtilis* host cell comprising a nucleic acid encoding said heterologous protein wherein said host cell contains a mutation or deletion in the gene encoding *B. subtilis* cysteine protease-1, wherein said gene encoding cysteine protease-1 encodes the amino acid sequence set forth in SEQ ID NO:2, and said mutation or deletion results in the inactivation of the cysteine protease-1 proteolytic activity; and
- (b) growing said *Bacillus subtilis* host cell under conditions suitable for the expression of said heterologous protein.

20. (Thrice Amended) The method of Claim 13, wherein said gene encoding cysteine protease-1 comprises the nucleic acid sequence set forth in SEQ ID NO:1.

¹ *Festo Corp. v. Shoketsu Kogyo Kabushiki Co.*, No. 95-1066, 2000 WL 1753646 (Fed. Cir. Nov. 29, 2000).